



**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

20 October 16, 2018

CELIA ZAVALA  
EXECUTIVE OFFICER

October 16, 2018



Los Angeles County  
Board of Supervisors

Hilda L. Solis  
First District

Mark Ridley-Thomas  
Second District

Sheila Kuehl  
Third District

Janice Hahn  
Fourth District

Kathryn Barger  
Fifth District

Christina R. Ghaly, M.D.  
Director

Hal F. Yee, Jr., M.D., Ph.D.  
Chief Medical Officer

313 N. Figueroa Street, Suite 912  
Los Angeles, CA 90012

Tel: (213) 288-8101  
Fax: (213) 481-0503

[www.dhs.lacounty.gov](http://www.dhs.lacounty.gov)

*To ensure access to high-quality, patient-centered, cost-effective health care to Los Angeles County residents through direct services at DHS facilities and through collaboration with community and university partners.*



[www.dhs.lacounty.gov](http://www.dhs.lacounty.gov)

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTION OF A RESOLUTION TO ACCESS FEDERAL, STATE AND LOCAL CRIMINAL HISTORY INFORMATION ON AMBULANCE OPERATORS (ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

Request approval of a resolution to authorize the Department of Health Services through the Emergency Medical Services Agency, to access federal level criminal history information, in addition to State and local level criminal history, of Ambulance Operators by the County for business licensing purposes.

**IT IS RECOMMENDED THAT THE BOARD:**

Adopt the attached resolution (Attachment I) to authorize the Department of Health Services (DHS), through the Emergency Medical Services (EMS) Agency, to access and receive federal, State and local criminal history information of Ambulance Operator (AO) applicants and licensees for business licensing purposes per Penal Code Sections 11105, subdivision (b)(11) and 13300, subdivision (b)(11).

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Adoption of the resolution will grant additional authority to the County, through the DHS's EMS Agency, to access federal level criminal history information to supplement its access to State and local criminal history information, previously approved on January 30, 2018, on AO business licensing applicants and licensees. Furthermore, the State of California Department of Justice (DOJ) requested a revised form of resolution to perform the criminal history checks. This resolution consolidates these two purposes while expanding EMS's ability to perform background checks of AO's operating in other states and continually monitor those AO's, related to business licensing requirements under Los Angeles County Code, Title 7.

## **Implementation of Strategic Plan Goals**

The recommended action supports Strategy III.2, "Embrace Digital Government for the Benefit of Our Internal Customers and Communities", of the County's Strategic Plan.

## **FISCAL IMPACT/FINANCING**

With respect to criminal background checks performed by the EMS Agency, each AO license applicant is responsible for paying all necessary fees directly to the facility performing the Live Scan fingerprint request, therefore, there is no County cost. The required review and processing of AOs and requisite personnel background checks are conducted by the Agency's civilian investigators.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Chapter 7.16 of Title 7 expresses the intent of the County, as a local government entity, to regulate and issue AO business licenses for all ground ambulance services within the unincorporated County areas and incorporated cities in accordance with State law. (LACC, §§ 7.16.050, 7.16.051.) An AO's issued license may be placed on probation, suspended, or revoked based on a violation of any local, State, or federal law or regulation related to the provision of emergency medical services. (LACC, § 7.16.105.) The EMS Agency is responsible for the regulation and issuance of AO licenses. This duty requires the EMS Agency to obtain the applicant's or licensee's criminal history and any subsequent criminal violation notifications.

Penal Code Sections 11105, subdivision (b) (11), and 13300, subdivision (b) (11), provide that a county may authorize its officers or officials to access State and local summary criminal history information when specifically authorized by the County's Board of Supervisors (Board) in order to assist in fulfilling its licensing duties and implement its expressly stated local ordinance. Section 11105, subdivision (b) (11) also authorizes a county to access federal level criminal history from the Federal Bureau of Investigation through a Livescan fingerprint image request made to the DOJ. A county may also contract with the DOJ to receive subsequent criminal violation notifications under Section 11105, subdivision (q).

On January 30, 2018, the Board previously authorized the EMS Agency to directly obtain State and local criminal history information from the DOJ. The Board's adopted resolution was sent to the DOJ with EMS Agency's Application for Authorization to Receive Criminal Offender Record Information, but it was returned on March 27, 2018 with a request to have the resolution revised in accordance with the DOJ's format. Additionally, County Counsel confirmed with the DOJ that federal level criminal records could also be accessed if requested. The attached resolution, which form was

obtained from the DOJ, conforms to its required format for requesting federal, State, and local criminal history.

**CONTRACTING PROCESS**

Not applicable.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the resolution will expand the current background check process by allowing direct access to federal, State, and local criminal history information, which will ensure that AO applicants, licensees and requisite administrators entrusted with the care of the public during medical emergencies, continuously meet the County's business licensing requirements.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Christina R. Ghaly".

Christina R. Ghaly, M.D.  
Director

CRG:am

Enclosures

c: Chief Executive Office  
County Counsel  
Executive Office, Board of Supervisors

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES  
AUTHORIZING THE DEPARTMENT OF HEALTH SERVICES  
EMERGENCY MEDICAL SERVICES AGENCY  
TO ACCESS CRIMINAL HISTORY INFORMATION FOR  
AMBULANCE BUSINESS LICENSING PURPOSES**

**WHEREAS**, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment, licensing or certification purposes; and

**WHEREAS**, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

**WHEREAS**, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

**WHEREAS**, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Los Angeles, through the Director of the County of Los Angeles, Department of Health Services Emergency Services Agency, and her designee, are hereby

authorized to access state and federal level summary criminal history information for the purposes of licensing Ambulance Operators and its employees, or certification for Ambulance Operators and its employees, and may not disseminate the information to a private entity.

The foregoing resolution was adopted on the 16<sup>TH</sup> day of OCTOBER, 2018, by the Board of Supervisors of the County of Los Angeles and all other special assessment and taxing districts agencies and authorities for which said Board acts.



CELIA ZAVALA  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By

  
Deputy

APPROVED AS TO FORM:  
MARY C. WICKHAM  
County Counsel

By

  
Brian T. Chu, Principal Deputy County Counsel